THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.22978 of 2007

Between:

P.R.Vasanthi.

.. PETITIONER

and

The District Collector, Chittoor and others.

.. RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.22978 of 2007

ORDER:

It is the case of the petitioner that she is the absolute owner and

possessor of the agricultural lands admeasuring Ac.5-62 cents, Ac.4-80 cents and Ac.3-84 cents respectively in Sy.Nos.24, 25/1 and 25/3 situated at Rallakuppam Village, Satyavedu Mandal, Chittoor District, having purchased the same vide registered Sale Deed, dated 21-05-1991. It is stated that the said lands are patta lands but not assigned lands. While so, the Land Acquisition Proceedings have been initiated by the 1st respondent on 27-03-2007 in Roc.No.G2/3777A/06 under Section 4(1) of Land Acquisition Act, 1894 (for short "the Act") stating that the respondents are intending to acquire the lands in question for establishment of Special Economic Zone. Pursuant to the said proceedings, the 2nd respondent issued notice to the petitioner under Section 5(A) of the Act and the petitioner submitted objections to the 2nd respondent on 11-05-2007. After considering the said objections, the respondents issued draft declaration under Section 6 of the Act through proceedings in Roc.No.G2 3777/A/2006, dated 18-04-2007, stating that the Land Acquisition Proceedings have been dropped against the lands in question. While so, the lands in question are sought to be acquired by the respondents under the Land Acquisition proceedings, without following due procedure prescribed under law. In that regard, the respondents visited the site on 26-10-2007 and 27-10-2007 and started interfering with the peaceful possession and enjoyment of the lands in question and also threatened to dispossess the petitioner from the lands in question.

I am not inclined to express any opinion with regard to the merits of the case and also whether the lands are sought to be acquired by following due process of law prescribed under the Act or not or any other legal proceedings have been initiated. But, the only innocuous prayer of the petitioner is that without following due process of law, the respondents cannot interfere with the petitioner's peaceful possession and enjoyment of the lands in question.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the respondents not to interfere with the peaceful possession and enjoyment of the lands in question without following due process of law. There shall be no order as to costs.

01-11-2007

Note:

Issue C.C. by tomorrow

(B/o)

Prv

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